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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/773,144

02/09/2004

Philip Chidi Njemanze

1103

23534 7590 10/24/2006

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EXAMINER

GIBSON, ROY DEAN

ART UNIT

PAPER NUMBER

3739

DATE MAILED: 10/24/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

NI

**Notice of Non-Compliant
Amendment (37 CFR 1.121)**

Application No.

10/773,144

Examiner

Roy D. Gibson

Applicant(s)

NJEMANZE, PHILIP CHIDI.

Art Unit

3739

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

The amendment document filed on 13 September 2006 is considered non-compliant because it has failed to meet the requirements of 37 CFR 1.121 or 1.4. In order for the amendment document to be compliant, correction of the following item(s) is required.

THE FOLLOWING MARKED (X) ITEM(S) CAUSE THE AMENDMENT DOCUMENT TO BE NON-COMPLIANT:

- ☐ 1. Amendments to the specification:
- ☐ A. Amended paragraph(s) do not include markings.
 - ☐ B. New paragraph(s) should not be underlined.
 - ☐ C. Other _____.
- ☐ 2. Abstract:
- ☐ A. Not presented on a separate sheet. 37 CFR 1.72.
 - ☐ B. Other _____.
- ☐ 3. Amendments to the drawings:
- ☐ A. The drawings are not properly identified in the top margin as "Replacement Sheet," "New Sheet," or "Annotated Sheet" as required by 37 CFR 1.121(d).
 - ☐ B. The practice of submitting proposed drawing correction has been eliminated. Replacement drawings showing amended figures, without markings, in compliance with 37 CFR 1.84 are required.
 - ☐ C. Other _____.
- ☒ 4. Amendments to the claims:
- ☐ A. A complete listing of all of the claims is not present.
 - ☐ B. The listing of claims does not include the text of all pending claims (including withdrawn claims)
 - ☐ C. Each claim has not been provided with the proper status identifier, and as such, the individual status of each claim cannot be identified. Note: the status of every claim must be indicated after its claim number by using one of the following status identifiers: (Original), (Currently amended), (Canceled), (Previously presented), (New), (Not entered), (Withdrawn) and (Withdrawn-currently amended).
 - ☐ D. The claims of this amendment paper have not been presented in ascending numerical order.
 - ☒ E. Other: see attached sheet.
- ☒ 5. Other (e.g., the amendment is unsigned or not signed in accordance with 37 CFR 1.4):

For further explanation of the amendment format required by 37 CFR 1.121, see MPEP § 714.

TIME PERIODS FOR FILING A REPLY TO THIS NOTICE:

1. Applicant is given **no new time period** if the non-compliant amendment is an after-final amendment or an amendment filed after allowance. If applicant wishes to resubmit the non-compliant after-final amendment with corrections, the **entire corrected amendment** must be resubmitted.
2. Applicant is given **one month**, or thirty (30) days, whichever is longer, from the mail date of this notice to supply the correction, if the non-compliant amendment is one of the following: a preliminary amendment, a non-final amendment (including a submission for a request for continued examination (RCE) under 37 CFR 1.114), a supplemental amendment filed within a suspension period under 37 CFR 1.103(a) or (c), and an amendment filed in response to a *Quayle* action. If any of above boxes 1. to 4. are checked, the correction required is only the **corrected section** of the non-compliant amendment in compliance with 37 CFR 1.121.

Extensions of time are available under 37 CFR 1.136(a) only if the non-compliant amendment is a non-final amendment or an amendment filed in response to a *Quayle* action.

Failure to timely respond to this notice will result in:

Abandonment of the application if the non-compliant amendment is a non-final amendment or an amendment filed in response to a *Quayle* action; or

Non-entry of the amendment if the non-compliant amendment is a preliminary amendment or supplemental amendment.

Legal Instruments Examiner (LIE), if applicable

Telephone No.

Dr. Njemanze: a Notice of Non-Compliant amendment has been mailed which restarts the clock since you never received the one originally mailed on 5/17/2006. In addition I have included herein the Notice of Non-compliant amendment regarding the claims you resubmitted on 9/13/2006. To correct this list of claims in the simplest manner, I suggest the following:

1) In your response provide a cover letter signed and dated;

2) Double space the claims; and

3) Cancel claims 1-20 and rewrite them as claims 21-40 with the status indicator (New) after each claim number, being careful to change the claim dependency of all dependent claims (for example, claim 22 (which was claim 2) now depends from claim 21, etc. Sorry for this extra work for you, but the above will simplify the problems above.

Your response must be mailed to us no later than one month from the mailing of the first Non-Compliant amendment above or no later than November 5, 2006. I will also E-Mail these corrections in case the mailing of these two notices fails to reach you.

Regards,

Examiner Gibson

A handwritten signature in cursive script that reads "Roy D. Gibson". The signature is written in dark ink and is positioned below the printed name "Examiner Gibson".